

## REMARKS

Applicant respectfully requests further examination and reconsideration in view of the instant response. Claims 1-27 are pending. Claims 1-27 are rejected. Claims 1, 2, 4, 5, 10, 11, 13, 14, 19, 20, 22, 23 and 25 are amended herein with claims 1, 10 and 19 being independent. No new matter has been added as a result of the amendments. Support for the amendments can be found in the instant specification at least at page 7, line 19 - page 9, line 25; page 10, line 11 - page 11, line 23; page 13, lines 6-12; page 14, lines 4-13; and page 26, lines 2-4.

### 35 U.S.C. § 102(e)

According to the Office Action mailed May 7, 2012, hereinafter referred to as the "instant Office Action," Claims 1-7, 10-16 and 19-25 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,292,602 by Liu et al., hereinafter referred to as "Liu." Applicant has reviewed the asserted art and respectfully submits that the embodiments as recited in Claims 1-7, 10-16 and 19-25 are not anticipated by Liu for at least the following rationale.

Applicant respectfully directs the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

A computer implemented method for servicing streaming media comprising:  
receiving, at a computer system, said streaming media;  
determining, at said computer system, an allocation of available processing and memory resources;  
performing, at said computer system, a first multi-stage service on said streaming media;  
caching, at said computer system, an intermediate result from one of the stages of said first multi-stage service, said

intermediate result selected according to said available processing and memory resources; and  
performing, at said computer system, a second multi-stage service on said intermediate result.

Independent Claims 10 and 19 include similar recitations. Claims 1-7 that depend from independent Claim 1, Claims 11-16 that depend from independent Claim 10, and Claims 20-25 that depend from independent Claim 19 also include these recitations.

MPEP § 2131 provides:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Applicant respectfully submits that the rejection of the claims is improper as the rejection of Claims 1-7, 10-16 and 19-25 does not satisfy the requirements of a *prima facie* case of anticipation as claim embodiments are not met by the asserted art. Applicant respectfully submits that Liu does not disclose the claimed embodiments in the manner set forth in independent Claims 1, 10 and 19.

Applicant respectfully submits that Liu does not disclose “performing ... a first multi-stage service on said streaming media; caching ... an intermediate result ... and performing ... a second multi-stage service on said intermediate

result” (emphasis added) as recited in independent Claim 1, and the similar embodiments of independent Claims 10 and 19.

Applicant understands Liu to disclose a “systems and methods to efficiently distribute bandwidth in a channel among multiple bitstreams” (Fig. 2; column 4, lines 27-29). In particular, Liu discloses that “[i]nput buffers 44 temporarily store compressed video data received from bit rate converter apparatus 34 for each of the input bitstreams until scheduler 42 processes the compressed video data for transmission” (emphasis added; column 7, lines 49-53 and Figure 2).

The instant Office Action asserts that column 7, lines 49-53 of Liu discloses the claimed embodiments. However, Applicant respectfully submits that input buffers that store compressed video data from a converter apparatus of each input stream is not the same as, let alone identical to, “performing ... a first multi-stage service on said streaming media; caching ... an intermediate result ... and performing ... a second multi-stage service on said intermediate result” (emphasis added) as claimed. In particular, Applicant respectfully submits that Liu is silent to such teachings.

In summary, Applicant respectfully submits that the rejections of the Claims are improper as the rejection of Claims 1, 10 and 19 does not satisfy the requirements of a *prima facie* case of anticipation as the claims are not met by the asserted art.

Applicant respectfully submits that Liu also does not teach or suggest the additional claimed features as recited in Claims 2-7, that depend from independent Claim 1, Claims 11-16 that depend from independent Claim 10, and Claims 20-25 that depend from independent Claim 19. Therefore, Applicant respectfully submits that Claims 2-7, 11-16 and 20-25 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

35 U.S.C. § 103(a)

The instant Office Action states that Claims 8, 9, 17, 18, 26 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of U.S. Patent No. 6,999,512 by Yoo et al., hereinafter referred to as “Yoo.” The Applicant has reviewed Liu and Yoo and respectfully submits that the embodiments recited in Claims 8, 9, 17, 18, 26 and 27 are patentable over Liu in view of Yoo for at least the following rationale.

Claims 8 and 9 are dependent on independent Claim 1 and include the recitations of Claim 1. Claims 17 and 18 are dependent on independent Claim 10 and include the recitations of Claim 10. Claims 26 and 27 are dependent on independent Claim 19, and include the recitations of Claim 19. Hence, by demonstrating that Liu and Yoo do not show or suggest the embodiments of independent Claims 1, 10 and 19, it is also demonstrated that Liu and Yoo do not show or suggest the embodiments of Claims 8, 9, 16, 18, 26 and 27.

“As reiterated by the Supreme Court in *KSR*, the framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in

*Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). Obviousness is a question of law based on underlying factual inquiries” including “[a]scertaining the differences between the claimed invention and the prior art” (MPEP 2141(II)). “In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious” (emphasis in original; MPEP 2141.02(I)). Applicant notes that “[t]he prior art reference (or references when combined) need not teach or suggest all the claim limitations, however, Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art” (emphasis added; MPEP 2141(III)).

Applicant respectfully submits that Liu does not disclose:

A computer implemented method for servicing streaming media comprising:  
receiving, at a computer system, said streaming media;  
determining, at said computer system, an allocation of available processing and memory resources;  
performing, at said computer system, a first multi-stage service on said streaming media;  
caching, at said computer system, an intermediate result from one of the stages of said first multi-stage service, said intermediate result selected according to said available processing and memory resources; and  
performing, at said computer system, a second multi-stage service on said intermediate result

(emphasis added) as recited in independent Claim 1, and the similar embodiments of independent Claims 10 and 19.

Applicant understands Liu to teach “systems and methods to efficiently distribute bandwidth in a channel among multiple bitstreams” (Fig. 2; column 4,

lines 27-29). In particular, Liu teaches that “[i]nput buffers 44 temporarily store compressed video data received from bit rate converter apparatus 34 for each of the input bitstreams until scheduler 42 processes the compressed video data for transmission” (column 7, lines 49-53). Applicant respectfully submits that while Liu discloses transcoding video and storing compressed video in various buffers while waiting to transmit the compressed video, Liu does not teach, describe or suggest “caching ... a result from one of the stages of said multi-stage service, wherein intermediate results are cached in a meta cache of said plurality of caches and sent back to said multi-stage service, and wherein final results are cached in a regular cache of said plurality of caches” (emphasis added) as claimed.

Applicant respectfully submits that storing video for each stream in a group of identical buffers until a scheduler processes the data for transformation is not the same as, and instead is very different from and does not teach, suggest or render obvious “performing ... a first multi-stage service on said streaming media; caching ... an intermediate result ... and performing ... a second multi-stage service on said intermediate result” (emphasis added) as claimed. In particular, Applicant respectfully submits that Liu is silent to such teachings.

Moreover, Applicant respectfully submits that Yoo fails to cure the deficiencies found in Liu. As understood by Applicant, Yoo teaches an “apparatus for converting a digital bitstream complying with a certain compression method” (Abstract). In particular, Applicant understands Yoo to teach blocks of data (Figure 4). While Applicant understands Yoo to teach

various blocks of data, Applicant does not understand Yoo (alone or in conjunction with Liu) to teach “performing ... a first multi-stage service on said streaming media; caching ... an intermediate result ... and performing ... a second multi-stage service on said intermediate result” (emphasis added) as claimed.

Applicant respectfully submits that teaching data divided in to blocks is not the same as, and instead very different from and does not teach, suggest or render obvious “performing ... a first multi-stage service on said streaming media; caching ... an intermediate result ... and performing ... a second multi-stage service on said intermediate result” as claimed. In particular, Applicant respectfully submits that both Liu and Yoo are silent to such teachings.

Accordingly, Applicant respectfully asserts that Liu in view of Yoo does not teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claim 1, and the similar embodiments of Claims 10 and 19, that these claims overcome the rejection under 35 U.S.C. § 103(a), and that these claims are thus in a condition for allowance. Applicant respectfully submits that Liu in view of Yoo also does not teach or suggest the additional embodiments as recited in Claims 8 and 9 that are dependent on independent Claim 1, Claims 17 and 18 that are independent on Claim 10, and Claims 26 and 27 that are dependent on Claim 19. Therefore, Applicant respectfully submits that Claims 8, 9, 17, 18, 26 and 27 also overcome the rejection under 35 U.S.C. § 103(a), and are in a condition for allowance as being dependent on allowable base claims.

## CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected claims is requested. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-27 overcome the rejections of record. Therefore, allowance of Claims 1-27 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicant invite the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 08-2025 with reference to Docket No. 82100048.

Respectfully submitted,  
WAGNER BLECHER LLP

Dated: 8/7/2012

/Carlos J. Rosario/

Carlos J. Rosario  
Registration No. 67,922

Address:

Westridge Business Park  
123 Westridge Drive  
Watsonville, California 95076 USA

Telephone:

(408) 377-0500